

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JAROSLAV HORNOF, *et al.*,)
Plaintiffs,)
v.) No. 2:19-CV-198-JDL
UNITED STATES OF AMERICA,)
Defendant.)

**UNITED STATES' CONSENT MOTION SEEKING A TWO-WEEK
EXTENSION TO FILE ITS REPLY MEMORANDUM, TO RESPOND TO
PLAINTIFFS' STATEMENT OF MATERIAL FACTS, AND TO RESPOND TO
PLAINTIFFS' REQUESTS THAT MANY OF THE UNITED STATES'
STATEMENTS OF FACT BE STRICKEN**

With plaintiffs' consent, the United States respectfully requests a two-week extension to file its reply memorandum to Plaintiffs' Objection to the United States' Motion for Summary Judgment, to respond to Plaintiffs' Statement of Material Facts, and to respond to plaintiffs' requests that the many of the United States' statements of fact be stricken under Local Rule 56(e).

Plaintiffs requested and received three additional weeks to file their opposition brief, to which the United States did not object. In addition, plaintiffs filed a substantial volume of new materials in connection with that brief, to which the government seeks to meaningfully respond.¹

¹ See ECF Nos. 163-1 (Int'l Convention for the Prevention of Pollution of the Sea by Oil, 1954), 163-2 (48 F.R. 45704), 163-3 (Marpol excerpt, Chap. 3—Requirements for machinery spaces of all ships), 163-4 (Excerpt, Int'l Convention for the Prevention of Pollution from Ships, 1973), 163-5 (Legislative History, 1973 IMCO Conference on Pollution from Ships), 164-1 (Excerpt, Int'l Convention for the Prevention of Pollution from Ships, 1973), 164-2 (Treaty with Czech Republic on Mutual Legal Assistance in Criminal Matters & Mutual Legal Assistance: Instrument Between the United States of America and the Slovak Republic), 164-3 (Decl. Elaine Akers),

The United States' reply memorandum and related materials are presently due on or before September 14, 2022. An extension of this deadline until September 28, 2022, will enable the government to more meaningfully respond. Plaintiffs, through counsel, have no objection to the instant request for additional time.

WHEREFORE, the United States respectfully requests an extension of two weeks to file its reply memorandum and related materials, through and including September 28, 2022.

Dated: September 8, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

DARCIE N. McELWEE
United States Attorney

JOHN G. OSBORN
Assistant United States Attorney
United States Attorney's Office
District of Maine
100 Middle Street
East Tower, 6th Floor
Portland, Maine 04101
(207) 780-3257
john.osborn2@usdoj.gov

/s/ Michael A. DiLauro
MICHAEL A. DILAUR
Senior Admiralty Counsel
KALYNN E. HUGHES
Trial Attorney
MALINDA R. LAWRENCE
Trial Attorney

164-4 (Decl. George Chalos), 164-5 (Decl. Jaroslav Hornof), 164-6 (Decl. Damir Kordic), 164-7 (Decl. Bruce Merrill) and 164-8 (Decl. Lukas Zak).

Aviation & Admiralty Litigation
Torts Branch, Civil Division
U.S. Department of Justice
(overnight courier)
175 N St., N.E., Ste. 8.1815
Washington, D.C. 20002
(mailing)
P.O. Box 14271
Washington D.C. 20044-4271
Telephone: (202) 616-4047/4060
Facsimile: (202) 616-4159
michael.dilauro@usdoj.gov
kalynn.e.hughes@usdoj.gov
malinda.r.lawrence@usdoj.gov